

From: Phillip Padden
To: Microsoft ATR
Date: 1/23/02 1:19pm
Subject: Microsoft Settlement

I have read the proposed settlement and feel it does not truly represent the will of the people on this matter. From my experience most windows users belong to a camp that thinks dammed if we do dammed if we don't. They do not believe there is an adequate alternative to windows. This proposal does not face this issue at all. MS will continue to hold the power of a monopoly as long as the consumer believes they are the only thing, alternatives must be made visible to the public. Until the public believe that alternative exist MS must be watched. For this reason I suggest an amendment to the Sect "V. Termination" of the proposal. The ground for termination of the TC would not be five years with a potential one year extension, instead the ground for termination would be 5 years with a potential two year extension following the first fiscal quarter when Microsoft's Primary OS no longer has a majority of the market. That is to say when 50 % or more of the general populace use an OS other Microsoft XX. Microsoft can still maintain the largest piece of the pie, however its piece can not exceed 50%.

Phillip Padden